Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Message Text

CONFIDENTIAL

PAGE 01 USUN N 00599 271740Z

46
ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 L-02 NASA-01 SSO-00 NSCE-00

ACDA-05 CIAE-00 DODE-00 PM-03 INR-07 NSAE-00 NSC-05

OES-03 INRE-00 SAJ-01 IOE-00 SP-02 SS-15 USIE-00

PRS-01 PA-01 BIB-01 CU-02 EA-06 CCO-00 OTPE-00 EB-07

FCC-01 OC-05 COME-00 H-01 /092 W
---------- 079259
O R 271659Z FEB 75
FM USMISSION USUN NY
TO SECSTATE WASHDC IMMEDIATE 9274
INFO AMEMBASSY MOSCOW

C O N F I D E N T I A L USUN 0599

DEPARTMENT PASS NASA

E.O. 11652: GDS
TAGS: TSPA,UN
SUBJECT: OUTER SPACE LEGAL SUBCOMMITTEE--SOVIET DOMESTIC DBS PLANS

SUMMARY: SOVIET DELOFF APPROACHED USDEL INDICATING SOVIET MOTIVATIONS ON DBS CONVENTION ARE TIED DIRECTLY TO NATIONAL PLAN TO INTRODUCE OPERATIONAL DBS SYSTEM IN 5 TO 7YEARS. SOVIET DELOFF INDICATED "SINCERE FEARS" OF RETURN TO RADIO BROADCASTING PRACTICE OF 1950'S AND 1960'S AND INDICATED SOVIET REQUIREMENT FOR ASSURANCES OF NONABUSE OF THEIR PLANNED DOMESTIC SYSTEM.

1. BACKGROUND: ON ON FEB 25 SOVIET SPOKESMAN ON DBS (YURI KOLOSSOV, MINISTRY OF FOREIGN AFFAIRS) OPENED SOVIET DISCUSSION ON QUESTION OF SOVEREIGNTY BY DECLARING FUNDAMENTAL INTERNATIONAL RECOGNITION OF STATE SOVEREIGNTY AS ESTABLISHED PRINCIPLE OF INTERNATIONAL LAW IS IN CONTRAST TO STATUS AS "POLITICAL SLOGAN" OF
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 00599 271740Z

THE CONCEPT OF FREE FLOW OF INFORMATION. SOVS URGED

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

PRINCIPLE OF SOVEREIGNTY COULD NOT BE BALANCED BY SUCH NONFORMAL CONCEPT AS FREE FLOW. AS EXAMPLE, KOLOSSOV HYPOTHESIZED A SOV SATELLITE SYSTEM ATTEMPTING TO BEAM DIRECT TELEVISION PROGRAM INTO AUSTRALIA, DECLARING THAT SUCH ACTIVITY UNDERTAKEN WITHOUT PRIOR CONSENT OF AUSTRALIA WOULD BE IN VIOLATION OF AUSTRALIAN SOVEREIGNTY AND OTHERWISE INDEFENSIBLE.

2. IN PRIVATE CONVERSATION AT EVENING SOCIAL US DELOFF (DOYLE) APPROACHED KOLOSSV TO EXPLAIN THAT CURRENT INTERNATIONAL LAW CONTAINED ITU CONVENTION AND RADIO REGULATIONS WOULD MAKE HIS EXAMPLE OF BROADCASTING INTO AUSTRALIA WITHOUT CONSENT AN IMPROPERLY CONDUCTED ACTIVITY UNDER CONSTRAINTS IMPOSED BY ARTICLE 7, PARAGRAPH 428A OF ITU RADIO REGS. UNLESS THE ILLUMINATIONS OF AUSTRALIA BY THE SATELLITE SIGNAL COULD BE DEMOSTRATED TO BE "UNAVOIDABLE WITHIN THE PRESENT STATE OF THE ART" THE ITU REGULATIONS WOULD REQUIRE PRIOR AGREEMENT BY AUSTRALIA TO SUCH BROADCAST ACTIVITIES. UNITED STATES POLICY HAS HISTORICALLY BEEN THAT SUCH AGREEMENT COULD BE REFUSED ONLY ON TECHNICAL INTERFERENCE GROUNDS, WITHOUT REGARD TO PROGRAM CONTENT. TO THIS EXTENT A LIMITED APPLICATION OF THE PRIOR CONSENT PRINCIPLE EXISTS IN INTERNATIONAL LAW WITH REGARD TO RADIO TECHNICAL COORDINATION. DOYLE INDICATED THAT THE RUSSIAN INSISTENCE THAT QUESTIONS OF PROGRAM CONTENT, CULTURAL, POLITICAL, OR OTHER IMPACTS SHOULD BE THE BASIS OF EXTENDING OR DENYING CONSENT IS INAPPLICABLE TO THE US BECAUSE SUCH EXTERNAL ESTABLISHED CONSTRAINTS GIVE RISE TO SERIOUS INTERNAL CONSTITUTIONAL PROBLEMS IN THE US. KOLOSSOV THEN ASKED FOR AN OPPORTUNITY TO HAVE A PRIVATE INFORMAL AND FRANK EXCHANGE OF VIEWS PRIOR TO THE LEGAL SUBCOMMITTEE MEETING ON FEB 26 AT WHICH TIME KOLOSSOV INDICATED HE WOULD LIKE TO EXPLAIN THE RATIONALE OF THE SOVIET POSITION.

3. ON THE MORNING OF FEB 26 DOYLE MET KOLOSSOV IN THE MEETING ROOM AND KOLOSSOV VOLUNTEERED THE FOLLOWING INFORMATION IN WHAT APPEARED TO BE A WELL REHEARSED STATEMENT. KOLOSSOV EXPRESSLY INDICATED AGAIN THAT THIS INFORMATION WAS PRIVATE AND INFORMAL. HE SAID THE USSE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 00599 271740Z

CURRENTLY PLANS AN OPERATIONAL DOMESTIC DIRECT BROADCAST SATELLITE SYSTEM WITHIN THE NEXT 5 TO 7 YEARS. RECEIVING TECHNOLOGY IS IN HAD AND PRODUCTION OF NEW SATELLITE HOME RECEIVERS IS GOING FORWARD. HE MENTIONED A TASS PRESS RELEASE ON THE SUBJECT SOME MONTHS AGO (SEE TASS NEWS FILE FOR FIRST WEEK OF JULY 1974). KOLOSSOV SAID SATELLITE CAPABILITIES ARE BEING DEVELOPED INCLUDING THE RECENTLY DEMOSTRATED ABILITY TO ESTABLISH

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

GEOSYNCRONOUS SATELLITES. IN LOEWS VOICE HE STATED THAT "SOVIET SINCERE CONCERNS ARE ABOUT ABUSE OF A DBS SYSTEM ONCE PUT IN PLACE". KOLOSSOV REFERRED TO THE HISTORY OF INTERNATIONAL RADIO PRACTICES AND SAID THE USSR WANTS TO AVOID TOTALLY SUCH PRACTICES USING SATELLITES IN THE FUTURE. HE NOTED THAT JAMMING OF SATELLITE BROADCASTING WOULD BE VERY EXPENSIVE AND VERY DIFFICULT AND CONCLUDED BY POINTING OUT THAT THE SOVIET GOVERNMENT IS DEEPLY CONCERNED ABOUT THE POTENTIAL FOR ABUSE AND NEEDS TO HAVE INTERNATIONAL ASSURANCES ON NONABUSE. HE SAID THE STRONG PUSH FOR A CONVENTION TO RESTRICT ABUSES IS THE NATURAL RESULT OF RADIO BROADCASTING HISTORY.

4. USDEL INDICATED THAT INSOFAR AS THE US AND THE USSR HAD ALREADY AGRED AS COSIGNATORIES OF THE ITU RADIO REGULATIONS, THE CONCERNS BEING EXPRESSED BY THE USSR APPEARED TO BE GENERALLY MET BY THE EXPLANATION OF PARA 428A. ANY FOREIGN GOVERNMENT BROADCASTING INTO A DOMESTIC OPERATING DBS SYSTEM WITHOUT AGREEMENT WOULD CERTAINLY BE BEHAVING IN A MANNER CONTRARY TO THE SPIRIT IF NOT THE LETTER OF THE ITU RADIO REGULATIONS. HOWEVER, DOYLE POINTED OUT INTERNATIONAL CONTROL OF SUCH ACTIVITY AND REDRESS OF ABUSES WOULD BE ON LESS CONTROVERSIAL AND MORE MANAGEABLE GROUNDS IF RESTRICTED EXCLUSIVELY TO RADIO TECHNICAL QUESTIONS, AVOIDING PROBLEMS ASSOCIATED WITH PHRASES SUCH AS "OBJECTIONABLE RPGRAMMEING, POLITICAL PROPAGANDA, COMMERCIAL ADVERTISEMENT," AND OTHER SUCH VAGUE AND SOMETIMES UNDEFINABLE CONCEPTS.

5. DOYLE INDICATED HE WOULD REPORT THE CONVERSATION TO HIS DELEGATION AND WOULD OFFER ANY RESPONSE DEEMED APPROPRIATE BY HIS GOVERNMENT.

CONFIDENTIAL

CONFIDENTIAL

6. ACTION REQUESTED: DEL WOULD APPRECIATE ANY GUIDANCE DEPT MAY SUGGEST FOR REPLY TO SOVIET DEL.
SCALI

CONFIDENTIAL

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BROADCASTING, INTERNATIONAL LAW, COMMITTEE MEETINGS, MEETING DELEGATIONS, FOREIGN POLICY POSITION, INFORMATION CONTROL
Control Number: n/a
Copy: SINGLE
Draft Date: 27 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975USUNN00599
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750069-0749
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975025/aaaaaedt.tel
Line Count: 157
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 16 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 JUN 2003 by BoyleJA>; APPROVED <17 JUN 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OUTER SPACE LEGAL SUBCOMMITTEE--SOVIET DOMESTIC DBS PLANS
TAGS: TSPA, US, UR, UN
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006